

**RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3676**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/713,163 Confirmation No.: 3393
Applicants : Allen D. Polowinczak and Vincent F. Eslick
Filed : November 14, 2000
TC/A.U. : 3676
Examiner : John B. Walsh

Docket No. : 1247 P 179
Customer No. : 26961

Title : Actuator for a Tilt-Latch for a Sash Window

Mail Stop AF
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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AUG 20 2003

AMENDMENT TRANSMITTAL

GROUP 3600

Transmitted herewith is an Amendment in the above-identified Application. Applicant is other than a small entity. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply. The shortened statutory period of response is set to expire on August 19, 2003. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any deficiencies in these fees to Deposit Account No. 23-0280. A duplicate copy of this sheet is attached

No additional fee for the Amendment is required.

				Small Entity		Other Than Small Entity	
	Claims Remaining After Amendment	Highest Number Previously Paid For	Present Extra	Rate	Additional Fee	Rate	Additional Fee
Total	58	- 58	= 0	x \$ 9	\$	x \$ 18	\$0
Independent	20	- 20	= 0	x \$ 42	\$	x \$ 84	\$0
First Presentation of Multiple Dependent Claims				x \$140	\$	x \$280	\$0
TOTAL ADDITIONAL FEE						\$0	

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Appl. No. 09/713,163
Amdt. dated August 19, 2003
Page 2

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-0280. A duplicate copy of this sheet is attached.

X Any filing fees under 37 C.F.R. 1.16 for the presentation of extra Claims.

Respectfully submitted,

Date: August 19, 2003

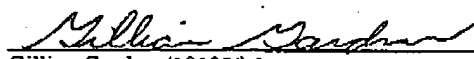
By:



Paul J. Nykaza, Registration No. 38,984
Peter M. Siavelis, Registration No. 51,136
WALLENSTEIN WAGNER & ROCKEY, LTD.
311 South Wacker Drive, 53rd Floor
Chicago, Illinois 60606-6630
312-554-3300
Attorneys for Applicants

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document is being facsimile transmitted to Examiner John B. Walsh, Art Unit No. 3676, at the U.S. Patent and Trademark Office on August 19, 2003, to Fax No. 703.872.9327.


Gillian Gardner/181339.1

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AUG. 19. 2003 4:04PM

WALLENSTEIN WAGNER

NO. 4997 P. 1

**Wallenstein
& Wagner**
INTELLECTUAL PROPERTY LAW

311 South Wacker Drive, 53rd Floor
Chicago, Illinois 60606-6630
phone: 312-554-3300
fax: 312-554-3301

Facsimile Transmittal Sheet

To: Examiner John B. Walsh	From: Peter Siavelis
Company: U.S. Patent and Trademark Office	Date: August 19, 2003
Fax Number: 1-703-872-9327	Number of Pages: 14
Your Reference Number: 09/713,163 ✓	Sender's Reference Number: 1247 P 179
Re: Attached Amendment	

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GROUP 3600

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NO. 4997 P. 6

#10
Response

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Title : Actuator for a Tilt-Latch for a Sash Window

REPLY TO MAY 19, 2003 OFFICE ACTION

Mail Stop AF
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the final Office Action mailed on May 19, 2003, Applicants submit the following Amendments and Remarks. Applicants respectfully request the Examiner to reconsider the rejections made in the Office Action and to allow the claims at issue. A duplicate copy of this sheet is attached.

Remarks begin on page 2 of this paper.

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Handwritten signature and date: 9-2-03